

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 547, Page 2, Section 208.035, Line 9, by
2 inserting immediately after said line the following:

3
4 "208.037. 1. Subject to federal approval, the department of social services shall implement a
5 program of random drug testing of all persons eighteen years of age or older who receive
6 supplemental nutrition assistance program benefits. The department of social services shall have full
7 discretion as to the number of recipients tested and at what intervals.

8 2. Any recipient who tests positive for drugs that have not been lawfully prescribed or based
9 on the testing has been shown to have abused the use of drugs that were otherwise lawfully
10 prescribed shall participate in a drug treatment program. A recipient who tests positive for drugs
11 under such circumstances and who fails to participate in a drug treatment program shall not be
12 eligible to receive supplemental nutrition assistance program benefits.

13 3. For purposes of this section, the term "drug" means marijuana, any narcotic drug or
14 controlled substance as defined in chapter 195, or the metabolite of any such substance.

15 4. If a recipient fails or refuses to submit to testing, any application for benefits shall be
16 denied or any benefits currently being received shall be terminated.

17 5. On or before February 1, 2016, and every year thereafter that the program established in
18 this section is in operation the department of social services shall submit an evaluation of such
19 program to the governor, speaker of the house of representatives, and the president pro tempore of
20 the senate. The evaluation shall include the following:

21 (1) The number of individuals tested, the drug tested for, the results of the testing, and the
22 number of referrals for treatment;

23 (2) The cost of the testing and the resulting treatment; and

24 (3) The number of recipients who tested positive for drugs and who were denied assistance
25 for failure to comply with a drug treatment program.

26 6. The department of social services shall promulgate rules and regulations to implement the
27 provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010,
28 that is created under the authority delegated in this section shall become effective only if it complies
29 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
30 section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
31 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
32 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or
33 adopted after August 28, 2015, shall be invalid and void."; and

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35 Further amend said bill by amending the title, enacting clause, and intersectional references
36 accordingly.

Action Taken _____ Date _____

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